

**To:** Alexander Lazouski([al@lzlawoffice.com](mailto:al@lzlawoffice.com))  
**Subject:** U.S. Trademark Application Serial No. 79347118 - FYNDOO  
**Sent:** December 05, 2023 12:26:46 PM EST  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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## Attachments

**United States Patent and Trademark Office (USPTO)**  
**Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 79347118

**Mark:** FYNDOO

**Correspondence Address:**

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UNITED STATES

**Applicant:** Topicus.Finance B.V.

**Reference/Docket No.** N/A

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## FINAL OFFICE ACTION

**International Registration No.** 1677232

**The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be abandoned.** Respond using the Trademark Electronic Application System (TEAS) and/or Electronic System for Trademark Trials and Appeals (ESTTA). A link to the appropriate TEAS response form and/or to ESTTA for an appeal appears at the end of this Office action.

**Issue date:** December 5, 2023

### INTRODUCTION

This Office action is in response to Applicant's communication filed on November 1, 2023.

In a previous Office action dated March 14, 2023, Applicant was required to satisfy the following requirements: Clarify the color claim and submit a mark description; Provide entity and citizenship

information; Amend the identification of goods and services; Appoint a U.S.-licensed attorney; Provide an email address.

Based on Applicant's response, the Trademark Examining Attorney notes that the following requirements are **SATISFIED**: Color claim clarified and mark description submitted; Entity and citizenship information provided; U.S.-licensed attorney appointed; Email address provided. *See* TMEP §§713.02, 714.04.

Further, the Trademark Examining Attorney maintains and now makes **FINAL** the partial requirement in the Summary of Issues below. *See* 37 C.F.R. §2.63(b); TMEP §714.04.

**SUMMARY OF ISSUES MADE FINAL that Applicant must address:**

- Amended Identification of Services Required - *Partial Requirement*

*Also contained herein is a Partial Abandonment Advisory.*

**AMENDED IDENTIFICATION OF SERVICES REQUIRED - PARTIAL REQUIREMENT**

*The stated requirement pertains only to the services specified herein.*

Particular wording in the proposed amendment to the identification is not acceptable because it exceeds the scope of the services in the initial application. *See* 37 C.F.R. §2.71(a); TMEP §§1402.01(c), 1904.02(c)(iv). Applicant's goods and services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §§1402.06, 1904.02(c)(iv). Therefore, the original identification in the U.S. application as filed, or as acceptably amended, remains operative for purposes of future amendment. *See* 37 C.F.R. §2.71(a); TMEP §§1402.01(b), 1402.07(d).

In this case, the U.S. application identifies the services **International Class 36** as follows:

**Providing financial information via a website where users consisting of money seekers and investors can share information in order to attract and provide venture capital**

However, the proposed amendment identifies the following services in International Class 36:

**Providing websites where users consisting of those seeking money and investors can share information in order to attract and provide risk capital**

The proposed amendment is beyond the scope of the original identification because removing "financial information" from the wording impermissibly broadens and changes the nature of the services rendered from being a financial information service to a website technology service.

Accordingly, **Applicant may respond by reverting to the original wording "Providing financial information via a website where users consisting of money seekers and investors can share information in order to attract and provide venture capital"** in International Class 36 and/or arguing that the amendment is within the scope of the services in the initial application and should remain in the application. *See* 37 C.F.R. §2.71(a); TMEP §§1402.07(a), (e), 1904.02(c)(iv). If this issue is being made final, Applicant may appeal to the Trademark Trial and Appeal Board under 37 C.F.R.

§§2.141, 2.142, or petition the Director under 37 C.F.R. §2.146 if permitted by 37 C.F.R. §2.63(b)(2). TMEP §1904.02(c)(iv).

### **Scope Advisory**

Applicant may amend the identification to clarify or limit the goods and services, but not to broaden or expand the goods and services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and services may not later be reinserted. *See* TMEP §1402.07(e). Additionally, for applications filed under Trademark Act Section 66(a), the scope of the identification for purposes of permissible amendments is limited by the international class assigned by the International Bureau of the World Intellectual Property Organization (International Bureau); and the classification of goods and services may not be changed from that assigned by the International Bureau. 37 C.F.R. §2.85(d); TMEP §§1401.03(d), 1904.02(b). Further, in a multiple-class Section 66(a) application, classes may not be added or goods and services transferred from one existing class to another. 37 C.F.R. §2.85(d); TMEP §1401.03(d).

### **ID Manual Online**

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [\*U.S. Acceptable Identification of Goods and Services Manual\*](#). *See* TMEP §1402.04.

### **PARTIAL ABANDONMENT ADVISORY**

If Applicant does not respond by the response deadline, the following services to which the final requirement applies will be **deleted** from the application by Examiner's Amendment:

**International Class 036:** Providing websites where users consisting of those seeking money and investors can share information in order to attract and provide risk capital

37 C.F.R. §2.65(a)-(a)(1); *see* 15 U.S.C. §1062(b).

In such case, the application will proceed for the following goods and services only:

**International Class 009:** Electronic platform being downloadable software platforms where money seekers and investors can be brought together, namely, for facilitating communication between money seekers and investors; electronic platform being downloadable software platforms for facilitating, arranging, and processing trade investments consisting of concluded financing and loans

**International Class 035:** Arranging being mediating and concluding commercial transactions for others; providing business information directory services, via a global computer network; providing information about commercial business and commercial information via the global computer network

**International Class 036:** Fundraising, namely, business fundraising for others; Escrow services, namely, maintaining escrow accounts for investments; Financing services, namely, facilitating and arranging financing of loans via a software platform; Venture capital services, namely, providing financing to emerging and start-up companies through a website; Financial intermediary services, being financial investment brokerage services; Business fund raising services via crowdfunding website

**International Class 038:** Electronic communication services for financial institutions, namely, electronic transmission of financial data; transmission of information by data communications for assisting decision making; providing telecommunications access to platforms and portals on the internet

**International Class 042:** Providing temporary use of online non-downloadable software for investment purposes, namely, for facilitating investment of funds

*See id.*

## **RESPONSE GUIDELINES**

Applicant may respond to this final Office action by providing one or both of the following:

- (1) A Request for Reconsideration that fully resolves the outstanding requirement; and/or
- (2) An appeal to the Trademark Trial and Appeal Board with the required filing fees.

TMEP §715.01; *see* 37 C.F.R. §2.63(b)(1)-(2).

[Click to file a response to this final Office action](#) and/or [appeal it to the Trademark Trial and Appeal Board \(TTAB\)](#).

Please call or email the assigned Trademark Examining Attorney with questions about this Office action. Although the Examining Attorney cannot provide legal advice, the Examining Attorney can provide additional explanation about the requirement in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

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## **RESPONSE GUIDANCE**

- **Missing the response deadline to this letter will cause the application to [abandon](#).** A response or notice of appeal must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS and ESTTA maintenance or [unforeseen circumstances](#) could affect an applicant's ability to timely respond.

- [Responses signed by an unauthorized party](#) are not accepted and can **cause the application to abandon**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find** [contact information for the supervisor](#) of the office or unit listed in the signature block.

## United States Patent and Trademark Office (USPTO)

### USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued  
on December 5, 2023 for  
**U.S. Trademark Application Serial No. 79347118**

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action in order to avoid your application abandoning. Follow the steps below.

- (1) [Read the Office action](#). This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response period. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- [Check the status](#) of your application periodically in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- [Update your correspondence email address](#) to ensure you receive important USPTO notices about your application.
- [Beware of trademark-related scams](#). Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your Serial Number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- [Hiring a U.S.-licensed attorney](#). If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.